

GABRIEL L. GRASSO, ESQ.  
Nevada Bar No. 7358  
**GABRIEL L. GRASSO, P.C.**  
411 South 6<sup>th</sup> Street  
Las Vegas, NV 89101  
T: (702) 868-8866  
F: (702) 868-5778  
E: gabriel@grassodefense.com  
Attorney for RUSSA

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

|                           |   |                                 |
|---------------------------|---|---------------------------------|
| UNITED STATES OF AMERICA, | ) |                                 |
|                           | ) |                                 |
| Plaintiff,                | ) |                                 |
|                           | ) | Case No.: 2:19-cr-00102-RFB-BNW |
| vs.                       | ) |                                 |
|                           | ) | STIPULATION TO CONTINUE         |
| MOHAMMAD RUSSA,           | ) | SENTENCING DATE                 |
|                           | ) |                                 |
|                           | ) | (FIRST REQUEST)                 |
| Defendant.                | ) |                                 |
| _____                     | ) |                                 |

*Certification:* This stipulation is filed pursuant to General Order 2007-04.

IT IS HEREBY STIPULATED AND AGREED, by and between the defendant MOHAMMAD RUSSA through his attorney GABRIEL L. GRASSO, ESQ., and the United States of America, through ROBERT A. KNIEF, Assistant United States Attorney, that the sentencing hearing currently scheduled for August 15, 2019, at 4:00 p.m., be vacated and continued to a date and time convenient to this court, but no event earlier than 15 days.

Pursuant to General Order No. 2007-04, this stipulation is entered and based upon the following:

1. RUSSA is currently set for sentencing on Thursday, August 15, 2019.
2. Following the setting of the sentencing date in this case two conflicting matters have arisen which defense counsel was not able to reschedule due to the involvement of numerous parties and the availability of a small time window for each matter.
  - a. On the date of the sentencing in this case, August 15, 2019, defense counsel is scheduled to be present in the Northern District of Indiana, Hammond, for a pre-indictment proffer session which is very time sensitive.

b. The following day, August 16, 2019, defense counsel is scheduled to be present in the Southern District of Iowa, Davenport, for a post-trial safety valve proffer in United States v. Maupin, 3:17-cr-0070-9-JAJ-SBJ.

3. Denial of this request for continuance would result in a miscarriage of justice.

4. This is the first request for a continuance of the sentencing date in this case.

DATED this 9<sup>th</sup> day of August, 2019.

RESPECTFULLY SUBMITTED BY:

/s/ Robert A. Knief  
ROBERT A. KNIEF  
Assistant United States Attorney

/s/ Gabriel L. Grasso  
GABRIEL L. GRASSO  
Attorney for RUSSA

1 GABRIEL L. GRASSO, ESQ.  
Nevada Bar No. 7358  
2 **GABRIEL L. GRASSO, P.C.**  
411 South 6<sup>th</sup> Street  
3 Las Vegas, NV 89101  
T: (702) 868-8866  
4 F: (702) 868-5778  
E: gabriel@grassodefense.com  
5 Attorney for RUSSA

6 **UNITED STATES DISTRICT COURT**  
7 **DISTRICT OF NEVADA**  
8

9 UNITED STATES OF AMERICA, )  
10 )  
Plaintiff, )  
11 vs. ) Case No.: 2:19-cr-00102-RFB-BNW  
12 ) STIPULATION TO CONTINUE  
MOHAMMAD RUSSA, ) SENTENCING DATE  
13 )  
14 ) (FIRST REQUEST)  
Defendant. )  
15 \_\_\_\_\_ )

16  
17 **FINDINGS OF FACT**

18 Based upon the submitted Stipulation, and good cause appearing therefore, the  
19 Court finds that:

- 20 1. Defense Counsel will be out of the jurisdiction on other federal matters on  
21 the date set for sentencing in this case.  
22 2. This stipulation complies with General Order 2007-04.

23 **CONCLUSIONS OF LAW**

24 Denial of this request for continuance would deny the defense herein sufficient  
25 time and the opportunity within which to be able to effectively and thoroughly prepare for  
26 sentencing, taking into account the exercise of due diligence.  
27  
28

1 Additionally, denial of this request for continuance would result in a miscarriage of  
2 justice.

3 **ORDER**

4 **IT IS ORDERED** that the sentencing hearing currently scheduled for August 15,  
5 2019, at 4:00 p.m., be vacated and continued to September 5, 2019,  
6 at the hour of 4:00 PM.

7  
8 IT IS SO ORDERED:

9 

10 \_\_\_\_\_  
11 RICHARD F. BOULWARE, II  
12 UNITED STATES DISTRICT JUDGE

13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
DATED: August 12, 2019